

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:23-cv-243-MOC-SCR**

JAMES DRYE,)
)
Plaintiff,)
)
v.)
)
MARTIN O'MALLEY,)
Commissioner of Social Security,)
)
<u>Defendant.</u>)

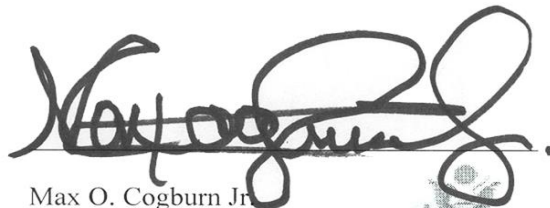
THIS MATTER is before the Court on Plaintiff's motion for award of attorney's fees under the Equal Access to Justice Act. (Doc. No. 12). Defendant consents to this motion.

Upon review of the materials, the Court finds that Plaintiff's request for attorney fees is reasonable. The motion for attorney fees is **GRANTED**. It is hereby, **ORDERED** that Plaintiff, Deidre Tranter, is awarded attorney fees in the amount of \$4,700.00. Full or partial remittance of the EAJA award will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government.

If Plaintiff has no outstanding federal debt, the Commissioner may honor any EAJA assignment that Plaintiff may provide and make the check(s) payable to Plaintiff's counsel. However, if Plaintiff has an outstanding federal debt, the Commissioner will make the check(s) payable to Plaintiff directly and deliver the check(s) to the business address of Plaintiff's counsel. The amount of EAJA award payable to Plaintiff will be the balance of EAJA award remaining after subtracting the amount of Plaintiff's outstanding federal debt. This award will be paid directly to Plaintiff, Deidre Tranter, and sent to the business address of Plaintiff's counsel. If Plaintiff's outstanding federal debt exceeds the amount of the EAJA award approved pursuant to

the Order, the amount of the EAJA award will be used to offset Plaintiff's federal debt and no EAJA award shall be paid.

IT IS SO ORDERED.



Max O. Cogburn Jr.
United States District Judge

Signed: February 21, 2024